

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

0.51 ACRES OF LAND, more or less,  
situated in HIDALGO COUNTY, TEXAS;  
and VERONICA MENDOZA, et al.,

Defendants.

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Civil Action No. 7:08-cv-189

**UNITED STATES' ADVISORY TO THE COURT**

The United States has made a decision to not move forward this year (2008) on the construction of three proposed border fence segments in Starr County, Texas (Rio Grande City and Roma) and Hidalgo County, Texas (Los Ebanos). This decision encompasses the land made the basis of this case.

The fact that the United States is not moving forward this year on these three segments does not mean there will never be a fence built at these locations. Customs and Border Protection continues to pursue ways to meet what the Border Patrol has determined to be an operational need for fencing in these locations. Because the Border Patrol has identified a need for tactical infrastructure, the United States will continue the land acquisition process for these proposed segments.

Respectfully submitted,

DONALD J. DeGABRIELLE, JR.  
United States Attorney

By: /s/ Kevin C. Aiman

KEVIN C. AIMAN  
Assistant United States Attorney  
Southern District Bar No. 30329  
Texas Bar No. 00797884  
Southern District of Texas  
P.O. Box 61129  
Houston, Texas 77208-1129  
Tel: (713) 567-9516  
Fax: (713) 718-3407

Attorneys for the United States of America

**CERTIFICATE OF SERVICE**

This certifies that on November 6, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and sent a copy via DC ECF to the following counsel:  
Corinna Rai Spencer Scheurich , and caused a copy to be sent by e-mail/regular mail to:

Peter Schey  
Center of Human Rights  
256 S. Occidental Blvd.  
Los Angeles, CA 90057  
e-mail: [pschey@centerforhumanrights.org](mailto:pschey@centerforhumanrights.org)

RTA Armando Barrera, Jr.  
Hidalgo County Tax Assessor & Collector  
Administration Building  
2801 South U.S. Highway 281  
Edinburg, TX 78539

Leonel Mendoza  
P.O. Box 961  
Edcouch, TX 78538-0961

/s/ Kevin C. Aiman

KEVIN C. AIMAN, Assistant United States Attorney